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| 30973 | 7590 | 01/13/2004 | (NOKI15-25636) | |
| SCHEEF & STONE, L.L.P. 5956 SHERRY LANE SUITE 1400 DALLAS, TX 75225 | | | EXAMINER BACKER, FIRMIN | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 3621 | |

DATE MAILED: 01/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Applicati n N .

10/029,159

Applicant(s)

DEEDS ET AL.

Examin r

Firmin Backer

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-- The MAILING DATE of this c mmunication appears on the c ver sheet with the c rrespondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 November 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachm nt(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Response to Amendment

This is in response to an amendment file on November 21st, 2003 for letter for patent filed on December 21st, 2001 in which claims 1-20 were presented for examination. In the amendment, claims 1-20 have been canceled, and claims 21-35 have been added. Claims 21-35 are pending in the letter.

Response to Arguments

1. Applicant's arguments with respect to claims 21-35 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claim 34 is objected to because of the following informalities: Applicant disclose "the method of claim 13" which has been canceled by the amendment. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this

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subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 21-35 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Shin et al (U.S. PG Pub No. 2002/0010698).

5. As per claim 21, Shin et al teach a method for providing selected content selected from a plurality of content stored at a network-based device (*locking server 20 in network/mobile device, 41 Fig 2A, 4*) to a wireless mobile device (*destination server, mobile device, 42, fig 4*) to be operated upon at the wireless mobile device pursuant to a selected locking requirement (*locking condition, fig 2B*) that is determinative of use of the selected content at the wireless mobile device until the locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*), said method comprising receiving at the network-based device an indication of selection of which of the plurality of content is to form the selected content presenting at least a first locking requirement associated with the selected content (*see paragraphs 0024, 0025, 0029*), the indication of selection of which is received during said operation of receiving; and selectably providing the selected content to the wireless mobile device together with the at least the first locking requirement to permit the selected content to be operated upon pursuant to at least a selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

6. As per claim 22, Shin et al teach a method further comprising the operations of storing the selected content, once provided during said operation of selectably providing, to the wireless mobile device, at the wireless mobile device, operating upon the selected content at the wireless

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mobile device in accordance with the selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

7. As per claim 23, Shin et al teach a method further comprising the operation, at the wireless mobile device, of determining when the selected one of the first locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

8. As per claim 24, Shin et al teach a method further comprising the operation subsequent to said operation of determining of unlocking the selected content data to release the selected content out of the selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

9. As per claim 25, Shin et al teach a method further comprising the operation of notifying the network-based device of determination made during said operation of determining that the selected one of the first locking requirement is met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

10. As per claim 26, Shin et al teach a method further comprising the operation of dispensing a reward to a user associated with the wireless mobile device subsequent to notifying the network based device during said operation of determining (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

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11. As per claim 27, Shin et al teach a method wherein said operations of presenting and selectably providing are performed by sending a message from the network-based device to the wireless mobile device that contains both the selected content and the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

12. As per claim 28, Shin et al teach a method wherein the at least the first requirement provided during said operation of sending comprises a plurality of locking requirements, said method further comprising the operation, subsequent to said operation of sending, of selecting, at the wireless mobile device, a selected one of the plurality of locking requirements (*see paragraphs 0024, 0025, 0029*).

13. As per claim 29, Shin et al teach a method wherein said operation of presenting comprises sending the at least the first locking requirement to the wireless mobile device and wherein said method further comprises the operation of selecting, at the wireless mobile device, a selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

14. As per claim 30, Shin et al teach a method further comprising the operation of notifying the network-based device of selection made during said operation of selecting of the selected one of the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

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15. As per claim 31, Shin et al teach a method wherein said operation of selectably providing is performed subsequent to said operation of notifying (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

16. As per claim 32, Shin et al teach a method wherein the at least the first locking requirement selectably provided during said operation of selectably providing together with the selected content comprises the selected one of the at least the first locking requirement (*see paragraphs 0024, 0025, 0029*).

17. As per claim 33, Shin et al teach a method wherein the selected content of the plurality of content comprises advertising content and wherein said method further comprises the operation of displaying the advertising content at the wireless mobile device according to the at least the first locking requirement (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

18. As per claim 34, Shin et al teach a method wherein the at least the first locking requirement comprises a manner by which to display the advertising content in human perceptible form (*see paragraphs 0024, 0025, 0029*).

19. As per claim 35, Shin et al teach a wireless mobile device operable in a radio communication system, an improvement of apparatus for operating upon selected content selected from a plurality of content stored at a network-based device and delivered to the wireless mobile device, said apparatus comprising a content manager embodied at the wireless

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mobile device, said content manager for managing the selected content once delivered to the wireless mobile device, management of the selected content provided by said content manager comprising selectably locking the selected content pursuant to a locking requirement, determining when the locking requirement is met, and unlocking the selected content when the locking requirement is determined to have been met (*see fig 2A, 2B, 4, paragraphs 0010, 0011, 0022, 0023*).

Conclusion

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

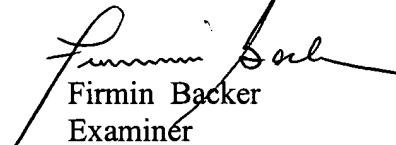
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Firmin Backer whose telephone number is (703) 305-0624. The examiner can normally be reached on Mon-Thu 9:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (703) 305-9768. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.


Firmin Backer
Examiner
Art Unit 3621

December 29, 2003